

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-CV-23482-ALTONAGA  
MAGISTRATE JUDGE REID

TERRANCE TAYLOR,

Petitioner,

v.

U.S. ATTORNEY GENERAL, et al.,

Respondents.

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**REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE**

This matter is before the Court on Petitioner's *pro se* Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241. [ECF No. 1]. This cause has been referred to the Undersigned for consideration and report pursuant to 28 U.S.C. § 636(b)(1)(B) and S.D. Fla. Admin. Order 2019-2. [ECF No. 2].

Petitioner, **Terrance Taylor**, is an immigration detainee who, at the time of filing his petition, was held at Glades Detention Facility in Moore Haven, Florida. [ECF No. 1]. According to a search of the U.S. Immigration and Customs Enforcement Online Detainee Locator, Petitioner remains at Glades Detention Facility as of the date of this Report.

Under 28 U.S.C. § 2241, "District courts are limited to granting habeas relief 'within their respective jurisdictions.'" *Rumsfeld v. Padilla*, 542 U.S. 426, 442

(2004) (quoting 28 U.S.C. § 2441(a)). Thus, “for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement.” *Id.* at 443.

Moore Haven is located in Glades County, Florida, which is within the jurisdiction of the United States District Court for the Middle District of Florida. Accordingly, the Middle District of Florida is Petitioner’s district of confinement. Thus, this Court lacks jurisdiction to hear Petitioner’s case.

Even so, a district court has the discretion to transfer a case, rather than dismiss it for lack of jurisdiction, if such a transfer is “in the interest of justice.” *Partee v. Att’y. Gen., Ga.*, 451 F. App’x 856, 858 (11th Cir. 2012) (*per curiam*) (quoting 28 U.S.C. § 1631). Because Petitioner is a *pro se* immigration detainee who remains in confinement, it is in the interests of justice to transfer, rather than dismiss this case for lack of jurisdiction.

Thus, it is **RECOMMENDED** that this case be **TRANSFERRED** to the United States District Court for the Middle District of Florida and the case be **CLOSED** by the Clerk of Court.

Objections to this Report may be filed with the District Judge within fourteen days of receipt of a copy of the Report. Failure to do so will bar a *de novo* determination by the District Judge of anything in the Report and Recommendation

and will bar an attack, on appeal, of the factual findings of the Magistrate Judge. *See* 28 U.S.C. § 636(b)(1)(C); *see also Thomas v. Arn*, 474 U.S. 140, 149 (1985).

**SIGNED** this 4th day of September, 2020.

  
UNITED STATES MAGISTRATE JUDGE

cc: **Terrance Taylor**  
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Glades County Detention Center  
Inmate Mail/Parcels  
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PRO SE